

QUESTIONING THE PRIME MINISTER: HOW EFFECTIVE IS THE LIAISON COMMITTEE?

Dr Mark Bennister, Canterbury Christ Church University

Dr Alexandra Kelso, University of Southampton

Dr Phil Larkin, University of Canberra

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PREFACE

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Mark Bennister
Alexandra Kelso
Phil Larkin

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RESEARCH TEAM

MARK BENNISTER

Dr Mark Bennister is a Reader in Politics at Canterbury Christ Church University. In 2012 he published a monograph on Prime Ministerial power in Britain and Australia. He worked for six years for the Australian High Commission in London as an Executive Officer, supporting diplomats. He has close links to parliament. He is a member of the Study of Parliament Group and previously worked as a researcher in the House of Commons. He gave oral evidence on Prime Ministerial power to the Political and Constitutional Reform Select Committee in April 2013. Dr Bennister has published academic material on political leadership, political oratory and British and Australian politics. He is co-convenor of the Political Studies Association Political Leadership Specialist Group.

ALEXANDRA KELSO

Dr Alexandra Kelso is an Associate Professor in Politics at University of Southampton. She has published extensively on Westminster politics in particular on the House of Lords and parliamentary reform. In 2013, she completed a three-year, ESRC-funded research project entitled 'The Scrutiny Universe: The House of Commons Select Committees and the Psychology of Group Processes' (RES-061-25-0391). This project explored how the Commons select committees fulfil their task of holding the government to account, utilising the insights of social psychology and group processes in order to understand how MPs manage their party identities and regulate partisan conflict in an 'all-party' institutional environment. Dr Kelso is founder of the Political Studies Association Specialist Group on Parliaments and Legislatures and has been a visiting fellow at the Hansard Society.

PHIL LARKIN

Dr Phil Larkin is Adjunct Associate Professor, ANZSOG School of Governance, University of Canberra, Australia, where he was previously Senior Lecturer in Public Policy and Associate Dean of the Faculty of Business and Government. He is currently engaged in research on committee appointments and on Parliament's financial scrutiny role. He previously worked as a committee specialist for the Trade and Industry Select Committee in the House of Commons. He has also written on Australian parliamentary politics and was Senior Policy Analyst for the Australian Senate's Committee on Fuel and Energy. Dr Larkin has published on committee impact and reform.

EXECUTIVE SUMMARY

The Liaison Committee is a select committee of the House of Commons, comprising of all the MPs who are select committee chairs. Amongst many varied tasks, the Liaison Committee has a specific remit to take oral evidence from the Prime Minister up to three times per year. The Liaison Committee's sessions with the Prime Minister, though established in 2002, have gained little recognition. This report seeks to illuminate this little understood area of parliamentary work. The research, a collaboration between researchers at Canterbury Christ Church University, University of Southampton and the University of Canberra, investigated how effective these sessions were and how they work to hold the Prime Minister to account. This project contributes to our understanding of both the limits and the possibilities of democratic accountability mechanisms in the UK.

The Liaison Committee sessions with the Prime Minister represent an important scrutiny mechanism and the sessions now form an established conduit between the executive and the legislature. The sessions are unusual as a standalone evidence exercise and it is hard to find equivalent sessions in other jurisdictions. The sessions provide a complementary forum for senior committee chairs to engage with the Prime Minister beyond the partisan arena of Prime Minister's Questions. This analytical and deliberative setting is much more conducive to informative and illuminating exchanges.

The report is divided into five sections. The introduction sets out the origins of the Committee, why it was established and how it has developed since 2002. It also looks briefly at relevant accountability mechanisms in the devolved administrations. Section 2 considers how the Committee functions and what we have learnt from the process. Section 3 draws on our interview data to evaluate the sessions. Section 4 builds on this evaluation to consider possible options for reform before the concluding section.

We found that the Liaison Committee sessions with the Prime Minister are now well established and have much to recommend them. We found that this analytical and deliberative setting is much more conducive to informative and illuminating exchanges than PMQs. Reforms have narrowed the number of participants and focused the content of sessions. The sessions do however have the potential to enhance the relationship between the Prime Minister and the legislature. More frequent appearances by the Prime Minister, including an appearance at the start of a parliamentary term, sharper questioning, a greater clarity of purpose and focus from the Committee would raise the profile of the evidence sessions and add to the scrutiny function of Parliament in holding the Prime Minister to account for whole-of-government activity.

1. INTRODUCTION

1.1 PRIME MINISTERIAL ACCOUNTABILITY TO PARLIAMENT

Within the contemporary debate on declining engagement with Parliament, increasingly centralised power, stronger party cohesion and personalised executive leadership, select committees have presented a welcome boost to the accountability and scrutiny function of Parliament. With greater authority and legitimacy flowing from select committees, it follows that the Liaison Committee made up of committee chairs should also be an empowered parliamentary resource. Bucking the trend of declining engagement, one accountability reform has the potential to alter the balance between executive and legislature, as envisaged by the Wright reforms.

We conducted interviews with current and former members of the Liaison Committee, parliamentary officials and journalists. We also interviewed former Number 10 staff and consulted with representatives from the devolved assemblies.¹ We analysed the transcripts from each session encompassing 11 sessions with Tony Blair, 5 with Gordon Brown, and 15 with David Cameron. This report is one part of an output of material that includes an academic article in the *British Journal of Politics and International Relations*, which we draw on in this report. Two further articles are to be published in due course covering: questioning styles in the Committee and prime ministerial performance in the sessions.

The Committee provides a forum where the Prime Minister can be interrogated in a less partisan, more detailed and more deliberative manner than the weekly jousts at PMQs provide.

The most public aspect of prime ministerial accountability is at Prime Minister's Questions (PMQs). In contrast, the Liaison Committee sessions with the Prime Minister gain little recognition. In 2002, after long resisting, Tony Blair finally agreed to appear before the Liaison Committee—the select committee comprising the chairs of the other select committees—twice a year to answer questions on policy matters for at least two hours. This formal scrutiny function has now operated for fourteen years, questioning three different Prime Ministers. It generated some initial media attention before becoming an established part of the parliamentary mechanism. These appearances (subsequently increased to three times a year) represent an important forum for engagement between the Prime Minister and

parliament. The Committee provides a forum where the Prime Minister can be interrogated in a less partisan, more detailed and more deliberative manner than the weekly jousts at PMQs provide. Some journalists mocked the sessions as 'bore-a-thons' that do not leave

¹ We conducted 15 in-depth interviews and had additional informal exchanges with participants.

'blood on the carpet', but that is almost the point. The sessions are generally informative exchanges on cross-cutting topics, broad government strategy and current issues. When canvassed the public found these sessions positive, but knew little about them.²

1.2 LIAISON COMMITTEE EVIDENCE SESSIONS

The Liaison Committee evidence sessions with the Prime Minister therefore represent important connective tissue between the executive and the legislature, but have thus far attracted little research attention. Without a department, the Prime Minister is subject to less systematic parliamentary scrutiny than the members of his own cabinet. The select committee system largely mirrors the departmental structure of Government. This has meant that the Prime Minister traditionally refused to appear before parliamentary committees.³ The Prime Minister does appear for parliamentary questions in the Commons chamber (and the ministers also have regular question sessions scheduled). If accountability involves finding out what has been done and why, then PMQ as it is currently constituted can swiftly be dismissed as an effective means of holding the Prime Minister to account, for it does neither. Instead PMQs fulfils other political imperatives.⁴ By contrast, the Liaison Committee sessions provide an altogether different institutional forum through which scrutiny can be conducted and, perhaps, accountability obtained, located as they are in committee rooms away from the partisan battle of the chamber, and in a working environment where the norms and objectives of committee operation are commonly understood and accepted. Analysis of the Liaison Committee is therefore timely. The Committee has been cited by parliamentarians as an important means of holding the Prime Minister to account. The Political and Constitutional Reform Select Committee, for instance recommended strengthening the Committee.⁵

Traditionally the Liaison Committee focused on administering the select committee system, it had positioned itself as a pivotal scrutiny stakeholder in 2000 with a key report which sought to rebalance the relationship between Parliament and government,⁶ and staked a claim for its suitability as a forum through which the Prime Minister could be scrutinised. It championed the new format on the grounds that it would provide a 'calmer setting' for more 'productive and informative' scrutiny than was ordinarily available through PMQs due

² Hansard Society, [Tuned in or Turned off? Public attitudes to Prime Minister's Questions](#), London, Hansard Society, 2014.

³ A little noticed break with this convention did occur in 2014 when the Prime Minister appeared before the Joint Committee on National Security Strategy but it would seem that no precedent has been established. See JCNSS, [Oral Evidence](#), 30 January 2014, Session 2014-14, HC 1040.

⁴ M Shephard (2015) [Prime Minister's Questions: Perpetual Pointless Puerile Panto Politics?](#), PSA Parliaments and Legislatures Blog, 14 October 2015.

⁵ HC 351 (2014) [The Role and Powers of the Prime Minister](#), First Report of Political and Constitutional Reform Committee. London, TSO.

⁶ Liaison Committee, [Shifting the Balance: Unfinished Business](#), 1st Report of Session 2000-01, HC 321.

its 'confrontational exchanges and theatrical style'.⁷ This scrutiny mechanism has now operated for over 14 years, and involved the questioning of three Prime Ministers. Yet despite constituting a remarkable institutional innovation in parliamentary practice, and 'a significant advance in the scrutiny of the Prime Minister',⁸ it has not been subject to systematic examination.

1.3 ORIGINS OF THE LIAISON COMMITTEE SESSIONS

Secretaries of State and ministers have appeared regularly before departmental select committees since their creation in 1979, to give evidence about their policy responsibilities and departmental activities. However, despite the increasingly prominent role played by departmental select committees in the decades since their formation, the Prime Minister did not appear before them. The failure of the Prime Minister to be subject to select committee scrutiny was viewed by many MPs as a serious problem. In 2000, as part of its inquiry into the Ministerial Code, the Public Administration Committee wrote to the then-Prime Minister, Tony Blair, inviting him to give evidence, on the basis that the Code was the responsibility of the Prime Minister and underwent revisions at his or her behest, and so only the Prime Minister could be held accountable to parliament for it. Blair rejected this view, citing the tradition of ministerial responsibility for providing select committee evidence, and noting that 'Prime Ministers have not themselves, by long-standing convention, given evidence to Select Committees'.⁹ The Liaison Committee pursued the matter in a report on executive scrutiny, which advocated the benefits of the Prime Minister discussing government policies in a non-partisan forum, and noted that if he accepted an annual invitation to appear before it, he would not be called before any other select committees. Downing Street declined this offer, again citing the convention that Prime Ministers do not give evidence to select committees, and arguing that to do so might jeopardise established lines of ministerial accountability.¹⁰

Yet, behind the scenes, developments were afoot. In December 2001, the then Leader of the House of Commons, the late Robin Cook MP, 'pressed' the Prime Minister to appear before the Liaison Committee as part of a broader parliamentary modernisation programme, and Downing Street advisers also attempted to convince Blair of the merits of attending such sessions.¹¹ But Blair resisted, and in spring 2002, Cook asked the chairman of the Public Administration Committee, Tony Wright MP, to drop the matter, because there was 'simply

⁷ Liaison Committee, [Evidence from the Prime Minister, 1st Special Report of Session 2001-02](#), HC 984, para.3.

⁸ P Cowley, 'Parliament' in A Seldon (ed.) *Blair's Britain 1997-2007*, Cambridge, Cambridge University Press, 2007, p. 23.

⁹ Public Administration Select Committee, [The Ministerial Code: Improving the Rulebook](#), 3rd Report of Session 2000-01, HC 235, Appendix 4.

¹⁰ Liaison Committee, [Shifting the Balance: Unfinished Business](#), 1st Report of Session 2000-01, HC 321.

¹¹ R Cook, *The Point of Departure*, London: Pocket Books, 2003, p 141.

no way that the Prime Minister was ever going to agree to attend'.¹² It therefore came as a surprise when, in April 2002, the Prime Minister approached the Liaison Committee chair, Alan Williams MP, and offered to appear twice a year to discuss domestic and foreign affairs.¹³

Blair later made light of his 'Damascene conversion'.¹⁴ The chairs then in situ reported that no reasons were given for the reversal, although several speculated that Blair was probably convinced by his advisers that such appearances could usefully demonstrate his engagement with Parliament, and that, given Blair's political skills and communication abilities, he probably felt that he had 'nothing to fear', with one noting that 'he was, after all, a trained barrister'.¹⁵ The start of the new sessions with the Liaison Committee, in July 2002, also coincided with Blair's new schedule of monthly televised press conferences. Both events were undoubtedly linked to a desire to make the Prime Minister appear more accountable and accessible. As Blair subsequently told the Liaison Committee, 'politics comes under a great deal of attack ... and I think a session like this can help us show to the public, and to the media, that all of us in Parliament are trying to do our best to struggle with the issues that concern our constituents'.¹⁶ Strategically, both the Liaison Committee sessions and the monthly press conferences emerged at a point in the Blair premiership when he was attempting to regain control of a domestic reform agenda which had stalled during the first term, and which was at serious risk of being further marginalised on account of the agenda-setting consequences of the terrorist attacks of September 11th.¹⁷ Added to this was the growing pressures Blair faced in his second term from the Chancellor, Gordon Brown, about the likely date of the controversial 'hand-over' the two men had agreed in 1994, along with the difficulties faced by Number 10 in leveraging Treasury support for public sector reform and we begin to understand the value for the Prime Minister of a forum through which he could talk extensively about his domestic policy agenda and his vision as head of government.¹⁸

¹² See A Kelso, M Bennister and P Larkin, 'The Shifting Landscape of Prime Ministerial Accountability to Parliament', *British Journal of Politics and International Relations*, 2016, p 5.

¹³ Liaison Committee, [Evidence from the Prime Minister, 1st Special Report of Session 2001-02](#), HC 984.

¹⁴ Liaison Committee, [Oral Evidence: Rt Hon Tony Blair, Prime Minister](#), Session 2001-02, HC 1095, Q1.

¹⁵ See A Kelso, M Bennister and P Larkin, 'The Shifting Landscape of Prime Ministerial Accountability to Parliament', *British Journal of Politics and International Relations*, 2016, p 7.

¹⁶ Liaison Committee, [Oral Evidence: Rt Hon Tony Blair, Prime Minister](#), Session 2001-02, HC 1095, Q1

¹⁷ A Seldon, *Blair Unbound*, London: Simon and Schuster, 2007, p 47.

¹⁸ A Seldon, *Blair Unbound*, London: Simon and Schuster, 2007, p 21.

Table 1. Liaison Committee 2002-2016

No. of Prime Ministers Questioned		3
	Tony Blair	11
	Gordon Brown	5
	David Cameron	15
No. of Committee sessions 2002-2016		31
No. of questions asked at first session - Tony Blair July 2002		123
No. of questions asked - David Cameron's last session May 2016		80
No. of MPs attending the session in July 2002		30
No. of MPs attending the session in May 2016		14
Chairs of the Liaison Committee		3
	Alan Williams MP (Labour)	2002-2010
	Alan Beith MP (Liberal Democrat)	2010-2015
	Andrew Tyrie MP (Conservative)	2015-2017

1.4 LIAISON COMMITTEE: EFFECTIVE SCRUTINY MECHANISM?

In many respects, the Liaison Committee is ideally suited to conduct scrutiny of the Prime Minister. It comprises the chairs of the departmental select committees who have since 2010, been elected by the whole House of Commons, giving each considerable legitimacy and an autonomy from their party management. As the Prime Minister's remit can involve any or all policy areas, being able to draw on the prior knowledge of the chair of any of the relevant select committees as the subject under consideration requires can go some way to redressing the resource asymmetry between Parliament and the executive highlighted above. It was the Committee itself which pushed for the introduction of the evidence sessions in 2001, conscious of the parliamentary resource it possessed. Such a considerable repository of parliamentary leadership capacity could be deployed in the interests of holding the Prime Minister to account. The Committee has also demonstrated a degree of reflexivity and has been willing to make changes as a result. For instance, it has worked to narrow the focus of each prime ministerial session down to a few topics and limit participation to allow a more thorough cross-examination. This greater focus and depth provides a marked contrast to the lack of any meaningful reform of PMQs.

1.5 EXPERIENCE IN OTHER JURISDICTIONS

As far as we are aware, there are no equivalent parliamentary committees that question the Prime Minister or relevant Head of Government in other countries. The accountability mechanisms for the Prime Ministers in other parliamentary systems are however well worth exploring in the context of plenary questions, statements and so on. For instance, Scandinavian legislatures tend to scrutinise the Prime Minister at committee 'account'

meetings. These mostly question the Prime Minister on foreign and European policy matters. In Denmark, the European Committee (formerly Market Relations Committee) approves the Prime Minister's stance before meetings of the European Council and in turn gets a personal report on proceedings afterwards. In the typical situation of minority government in Denmark, the Prime Minister may find his or her hands tied by a committee majority reluctant to sanction the Prime Minister's position. In Finland, the Prime Minister frequently accounts to the Grand Committee (dealing with EU matters) and the Foreign Affairs Committee.¹⁹ There is no equivalent of the Liaison Committee sessions in similar Westminster system as in Australia, Canada or New Zealand, though the Prime Minister may appear at plenary questions more often (often deferring to cabinet colleagues). Looking closer to home, in the devolved administrations there are now similar mechanisms to question the First Minister in a committee setting.²⁰

SCOTLAND

In the Scottish Parliament, the First Minister has appeared before the Conveners Group each session. The Conveners Group comprises the Conveners of the Scottish Parliament's committees and is analogous to the Liaison Committee, though with some important differences. Firstly, it is chaired by the Presiding Officer rather than by a convener selected by the rest of the Group and, secondly, although the whole Parliament vote to ratify the committee membership, it is decided by party managers rather than election. The Conveners themselves are nominally selected by their fellow committee members, but are generally uncontested. In terms of the sessions with the First Minister, there are some notable difference. Firstly, the First Minister only appears annually. The Conveners Group sessions

The Conveners Group sessions with the First Minister focus exclusively on the Scottish Government's Programme for Government, which sets out the legislative agenda and policy priorities for the session ahead.

with the First Minister focus exclusively on the Scottish Government's Programme for Government, which sets out the legislative agenda and policy priorities for the session ahead. This effectively means that, to a large degree, it is the Government rather than Parliament that sets agenda for the sessions. All available Conveners participate though to date; they have been confined to asking questions relating to their own committees' remits: we were told that the Presiding Officer emphasised that they participate as representatives of their committees. Transcripts and video recordings of the sessions are added to the Conveners Group webpage, but no report is produced.

¹⁹ D. Arter, 'The Prime Minister in Scandinavia: 'Superstar' or Supervisor?', *The Journal of Legislative Studies*, Vol. 10(2-3), 2004, pp 109-127.

²⁰ We have not included the Northern Ireland Assembly Committee on Executive Office here. Although it does take evidence from the First Minister as well as the Deputy First Minister, it ranges rather more widely in its scrutiny activity and is only partially analogous with the Liaison Committee.

With only three sessions having taken place to date, it is too early to draw firm conclusions regarding the effectiveness of the sessions. Furthermore, following the 2016 Scottish Elections there has been a significant turnover of Conveners and a new Presiding Officer. It remains to be seen whether the sessions will even continue or be modified. Reflecting on the process, the outgoing Conveners Group recommended that they should continue, but made no recommendations beyond that. The Scottish Parliament has encountered at least some of the same issues as the Liaison Committee in Westminster. For instance, though the Programme for Government gives the sessions with the First Minister a useful focus, it involves the Conveners Group trying to cover the entire range of policy in a short session. As a result, some consideration has been given to increasing the number of sessions with the First Minister and thematising them. Similarly, with all 16 members participating, there is little chance for any of them to question the First Minister in any detail. Unsurprisingly, some would like the numbers reduced, especially if the sessions are held more frequently.

WALES

In the National Assembly for Wales (Senedd), the Committee for the Scrutiny of the First Minister meets 2-3 times a year, and our interview research indicates that it emerged as a conscious attempt to replicate the Liaison Committee practice. Naturally, as the Senedd contains just 60 Assembly Members (AM), the Committee is considerably smaller than the Commons' Liaison Committee, with perhaps 4-5 AMs attending the evidence sessions with the First Minister. As with the Liaison Committee, the Scrutiny Committee specifies in advance the topic or topics on which it wishes to focus, in order for the First Minister and his team to prepare, and the session itself involves direct questioning of the First Minister by the Committee members. Similarly, the Senedd Committee publishes the transcript of the session, and any related correspondence with the First Minister, but does not produce inquiry reports of the sort published by other Senedd committees.

However, there are key differences with the Westminster practice. First, the First Minister is frequently accompanied by officials, both from his own office and from the policy departments on which the scrutiny focus will fall. Officials answer many of the questions asked by the Committee, particularly when they deal with policy detail, and indeed the AMs do often direct their questions to the officials rather than the First Minister. In contrast, although the Prime Minister is accompanied by officials who sit behind him during the Liaison Committee session, and perhaps pass him notes, they do not answer directly to the Liaison Committee members. Second, the Senedd Committee has developed the practice of holding some of its sessions away from the National Assembly building at Cardiff Bay. For example, the session held in October 2015 took place at the National Waterfront Museum in Swansea, to correspond with Senedd Swansea Week, and to help facilitate the Committee's scrutiny focus on the promotion and marketing of Wales. Third, and leading on from this roving capacity, the Committee is far more open to members of the public and school pupils attending in the public gallery, and has even experimented with enabling the public to ask questions during the scrutiny session. Perhaps as a consequence of all these

points, our analysis of the Committee transcripts and videos of the evidence sessions suggests that the Senedd Committee pursues a far less adversarial and confrontational questioning style in comparison to that adopted by the MPs on the Liaison Committee. Our research also indicates that there has been some difficulty in securing attendance at the sessions from the Committee members, and that while this may be attributed to the timing of the sessions (frequently on Fridays), it may also hint at broader questions about the purpose and utility of the sessions which are not dissimilar to those expressed about the Liaison Committee format.

LONDON

The Greater London Assembly also performs committee style questioning of the London Mayor. In some respects, this is a hybrid of PMQs and the Liaison Committee. It has a partisan dimension as the political groups dominate; however, the exchanges take place in a committee setting. Question Time occurs 10 times a year, allowing regular and fixed examination of the Mayor. Members of the public can submit questions via Assembly Members although, in reality, these questions do not make the final cut as party groups dominate the agenda. The sessions are not particularly firmly chaired, allowing the Mayor to use up precious time and avoid answering the questions.

Table 2: Comparative Scrutiny Bodies

Head of Executive	Legislature	Scrutiny Body	Frequency of evidence sessions
Prime Minister	House of Commons	Liaison Committee	2-3 times per year
First Minister	Scottish Parliament	Conveners Committee	Once a year
First Minister	Welsh Assembly	Committee for the Scrutiny of the First Minister	2-3 times per year
Mayor	Greater London Assembly	Mayor's Question Time	10 times a year

2. THE PROCESS

Whilst the Liaison Committee is just a select committee of the House of Commons, its composition and role make it distinct and the Committee's hearings with the Prime Minister are also unlike regular select committee inquiries.

The chairs of departmental select committees (as well as those other select committees that function in the same way), who comprise the majority of the Liaison Committee, are elected through secret ballot by the entire membership of the House of Commons. The remaining members are elected within their parliamentary parties. The Liaison Committee is unique in having its membership elected by the whole House. The chair of the Liaison Committee is selected by the Committee rather than by the whole House. The other feature that distinguishes the Liaison Committee from the majority of other select committees that take evidence, is that its main functions are administrative, such as approving the budget for select committee visits or ensuring that committee inquiries do not overlap.

The Liaison Committee has, from time to time, undertaken more conventional select committee-style inquiries into issues of relevance to select committees such as resources or powers, such as on pre-appointment hearings in June 2011.²¹ The Committee expanded its sphere of action when it took evidence from the Deputy Prime Minister, Nick Clegg, on the basis of his leadership of the Rio+20 summit in the Prime Minister's place.²² The Environment Audit Committee subsequently asked the Liaison Committee to take evidence on its behalf,²³ and it used that session to focus not just on the Rio summit, but also on other policy issues. However, the hearings with the Prime Minister are standalone sessions which do not have a specific focus or lead to a report in the way the majority of select committees' hearings do. The extent to which this administrative focus and the need to switch to a scrutiny role reduces its effectiveness is a theme we return to later in this report. The function and powers of the Liaison Committee are set out in the House of Commons Standing Order No. 145

145.—(1) A select committee shall be appointed, to be called the Liaison Committee—

(a) to consider general matters relating to the work of select committees,

(b) to give such advice relating to the work of select committees as may be sought by the House of Commons Commission, and

²¹ Liaison Committee, [Select Committees and Public Appointments](#), 1st Report of Session 2010-12, HC 830

²² In October 2016 it announced that the Committee would be taking evidence from Sir John Chilcot, as a follow up to the publication of the Chilcot report.

²³ Environmental Audit Select Committee, [Outcomes of the Rio+20 Earth Summit](#), 2nd Report of Session 2013-14, HC 200, para. 6

(c) to report to the House its choice of select committee reports to be debated on such days as may be appointed by the Speaker in pursuance of paragraph (13) of Standing Order No. 10 (Sittings in Westminster Hall).

As evident from above, sessions with the Prime Minister are not listed as a core function. The Standing Order adds merely that:

(2) The committee may also hear evidence from the Prime Minister on matters of public policy.²⁴

Notably, the Committee took evidence from the Deputy Prime Minister and Sir John Chilcot without a change to this Standing Order.

2.1 FREQUENCY

In 2002, the then-Prime Minister, Tony Blair, agreed to appear before the Liaison Committee twice a session. Interestingly, in 2000, when the Liaison Committee had first proposed that he appear, they requested that he appear just once a session; the Prime Minister refused. After Blair's change of heart, he agreed to appear twice a session for two and half hours. The first session involved the entire Liaison Committee membership. In the 2010 Parliament this was increased to three appearances a year of 90 minutes apiece. Typically, this has seen the Prime Minister appear at the start of the year, between the Easter and the summer parliamentary recesses, and again in the autumn.

Under parliamentary privilege, the Prime Minister cannot be compelled to attend the Liaison Committee (or any other select committee). This is reflected in the Standing Orders as above, which state that Liaison Committee may (rather than shall) take evidence from the Prime Minister. However, there are signs that the sessions are sufficiently well established that it would be increasingly hard to avoid a request from the committee to appear. In 2016, after initial reluctance to appear before the EU referendum, the Liaison Committee Chair Andrew Tyrie was able to exert sufficient political pressure to ensure that a session was held.²⁵

2.2 TOPICS

Although four topics had been identified in advance of the first session in 2002, almost the entire membership of the Liaison Committee participated and it was ultimately left to each of them to decide their own questions. With the chairs of each of the policy-focussed departmental select committees there, as well as the members of the domestic committees (those that deal with the internal running of the Commons such as catering and art); the 123 questions asked of the Prime Minister represented 'an unfocussed romp across a wide

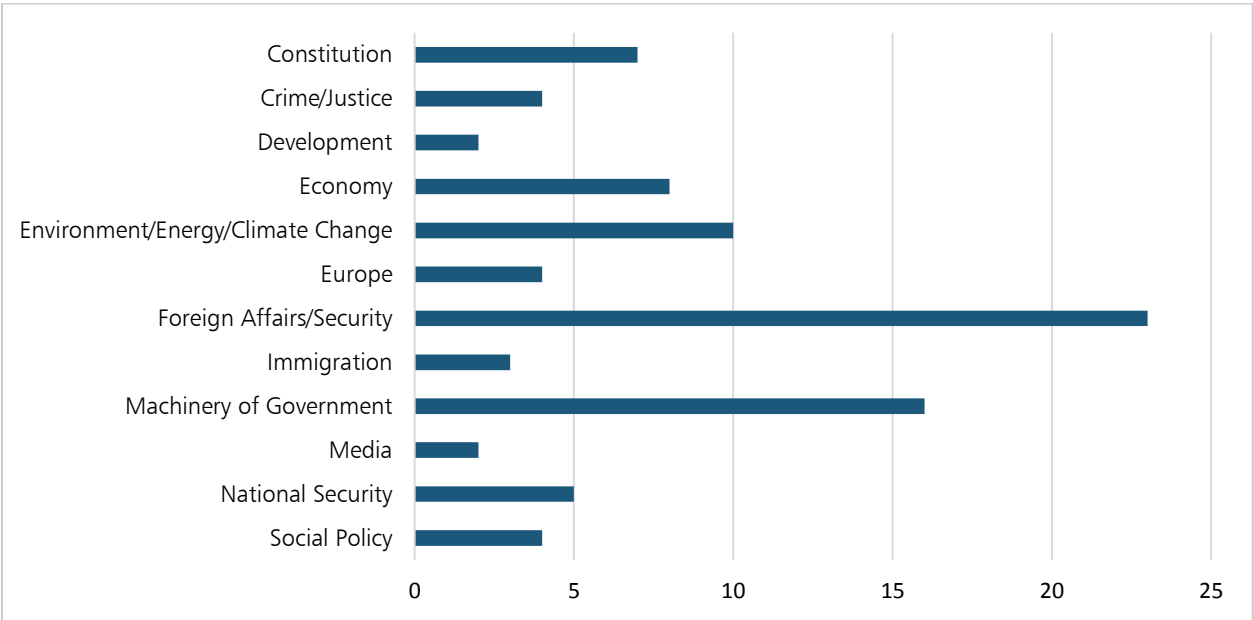
²⁴ House of Commons, [Standing Orders of the House of Commons: Public Business](#), 2015, HC 1154,

²⁵ The exchange of letters between Andrew Tyrie and the Prime Minister is available on the [Liaison Committee website](#).

swathe of public policy'.²⁶ With such a broad sweep of public policy covered in a limited time, there was little opportunity to go into any depth. Each question became a 'single hit' with no real chance to interrogate the Prime Minister's answers or to excavate the subject more deeply. In short, it lacked most of the benefits that a parliamentary committee has at its disposal in order to contribute to accountability.

The Committee was able to reflect on its own experience of questioning the Prime Minister and change its practice. At the second hearing, questions focussed more narrowly on the selected topics, Iraq and the War on Terror. Subsequent sessions have maintained this focus on a handful of main issues or, occasionally, on just one. Figure 1, below, shows the topics that have been covered to date. The Committee has throughout tried to focus on areas where the Prime Minister has 'made a difference', but the Prime Minister's lack of a clear job description or policy competence whereby the incumbent can 'make of it what he will'—is apparent as the sessions have ranged from foreign affairs and defence issues to social policy, constitutional affairs and machinery of government issues.

Figure 1. Subjects covered in Liaison Committee hearings with Prime Minister 2002-2016



In some instances, the Committee has responded to the Government's own agenda, such as in its questions on the 'Big Society' agenda or on reform of the civil service. But in others, the topics have focussed on issues that the Government has been forced to contend with—military action in the Middle East or the post-2008 recession, for instance—and which the

²⁶ A Kelso, M Bennister and P Larkin, 'The Shifting Landscape of Prime Ministerial Accountability to Parliament', *British Journal of Politics and International Relations*, 2016, p.746

Prime Minister might have preferred to avoid. There have also been sessions focusing on a single topic such as the EU Referendum and the Scottish Independence Referendum.

The areas deemed as those in which Prime Ministers ‘have made a difference’ are not only those with a cross-departmental or whole-of-government spread. In many instances, there is often nothing uniquely ‘prime ministerial’ about the areas. The contingent nature of the role of the Prime Minister presents challenges for the Liaison Committee in its own scrutiny endeavours: although Prime Ministers may dominate many, even all, aspects of government, they are formally responsible for relatively little. While there have been clear efforts, particularly since 2010, to focus the sessions on areas where the Prime Minister is pivotal, or has declared a keen interest, the tendency has been to focus on major topics in current affairs, topics which could, in most instances, have been covered by the relevant departmental select committee. Foreign affairs issues loom conspicuously large: for example, while the Prime Minister was being quizzed by the Liaison Committee in 2002 and 2003 about the decision to go to war in Iraq, the Foreign Affairs Select Committee was pursuing exactly the same issue,²⁷ yet was unable to interrogate the person ultimately responsible for that decision: Tony Blair. The Prime Minister, as Head of Government, is expected to speak for the Government on any and all aspects of government policy, and the Prime Minister frequently takes a major, even dominant, role in specific policy areas at certain times, as Blair did in foreign policy. But, even where this is the case, there is a proper chain of accountability: there is a minister to speak for Government on the matter and a select committee with oversight responsibility through which MPs can quiz ministers about where decision-making power lies and how policy is made. One of the major challenges faced by the Liaison Committee has been to determine exactly what topics it can usefully question the Prime Minister about, and its success in those determinations has been mixed.

2.3 PARTICIPATION

Prior to the 2010 election, the hearings with the Prime Minister typically saw almost all of the Liaison Committee members participating. With 25 or more members taking part, they could not all be accommodated in one of the main committee rooms. Early in the 2010 parliament, the decision was taken to reduce the number of MPs participating in the sessions (though the membership of the Liaison Committee remained the same). The sessions would now be limited to 15 or so members, making them more akin to a conventional select committee (though still larger than most). With the reduction in numbers and not all members attending, a process to select those participating in each session was required. Anecdotally, we were told that this selection was done through a combination of relevance to the topics under consideration, ‘buggins’ turn’ and ‘a coalition of the willing’.

²⁷ Foreign Affairs Select Committee, [The Decision to go to War in Iraq](#), 9th Report of Session of Session 2002-03, HC 813-I,

Data on attendance at the Liaison Committee's sessions with the Prime Minister in the 2010-5 Parliament would seem to support this.²⁸ Given the prominence given by the committee to foreign affairs issues, it is unsurprising to find that Sir Richard Ottaway, chair of the Foreign Affairs Committee was one of the most frequent participants, attending 8 of the 13 Prime Ministerial sessions. Issues within the Home Affairs Committee's remit also featured frequently and its chair, Keith Vaz attended 10. Machinery of Government issues were also another frequent topic, reflected in the chair of the Public Administration Select Committee Sir Bernard Jenkin's participation in nine of the sessions.

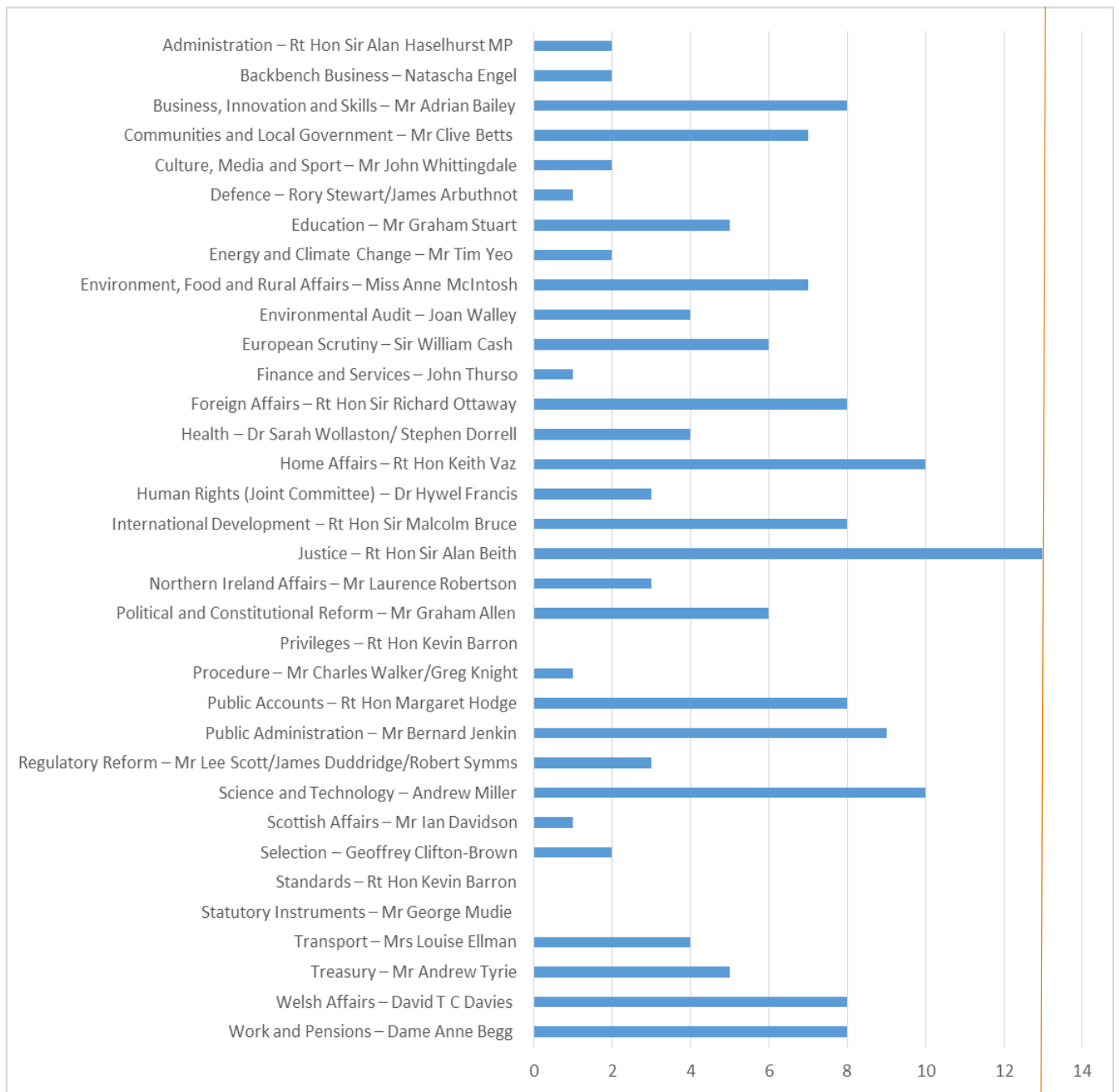
However, the topic under consideration does not account for the participation and non-participation of others and it seems that some members were keen to attend, regardless of the topic under consideration. For instance, the chair of the Science and Technology Committee was one of the most assiduous attendees, missing only three during the parliament, yet topics within his committee's remit were rarely covered. Similarly, the subject matter does not affect the different participation rates of the chairs of the committees covering Scotland, Wales and Northern Ireland: Ian Davidson, the Scottish Affairs chair only attended one session whilst his Welsh Affairs Committee counterpart, David T.C. Davies, attended eight. Committee workloads may also have played a part: for instance, Andrew Tyrie, the chair of the Treasury Committee was also chairing the Parliamentary Commission on Banking Standards for some of the Parliament which would have placed further demands on his time (though he has been publicly critical of the way the sessions have worked. We discuss this further in the next section).

This idea of participation based on a coalition of the willing (and available) is supported by evidence from our interviews. Not all members accorded the Liaison Committee or its sessions with the Prime Minister the same importance. Several members we spoke to were critical of the Prime Ministerial hearings and, consequently, were not particularly keen to participate.

We noted the importance of the Chair in setting the tone for the sessions. Drawing together chairs who may have long service and expertise in their own committees is a particular challenge for the Chair. Managing and leading such a committee requires a different skill set from the usual demands. In addition, a Chair needs to balance the requirements of his or her own committee with managing the Liaison Committee. The experience from Number 10 was that the sessions were often characterised by individual exchanges with members and less of a collective evidence session. The Chair here has a significant role to play in directing and managing the content, tone and coherence of the exchanges. We noticed difference in organisation style and activism in chairing of the sessions between incumbents. For instance, based on data from the two sessions so far chaired by Andrew Tyrie he takes a much more interventionist approach to the questioning as opposed to his predecessor's more facilitating approach. Tyrie as the media noted was keen to assert his authority as chair in the sessions.

²⁸ See also H. White '[More dangerous liaisons? Select committees in the 2015 parliament](#)', *Institute for Government* blog 24 March 2015.

Figure 2. Liaison Committee Attendance at Prime Ministerial Hearings, 2010 Parliament



2.4 COMMITTEE SUPPORT AND PREPARATION

Unlike other select committees, the Liaison Committee has not had a core secretariat and the workload for organising the sessions has largely been absorbed within existing committee office resources. Nominally, the Clerk of Committees in the House of Commons supports the Liaison Committee. However, in practice, primary organisational responsibility has usually fallen to one of the principal clerks in the Commons' Committee Office. This has entailed organising the hearings, including liaising with Number 10 to arrange the Prime Minister's appearance and topics as well as coordinating questions and providing briefing material. The briefing material itself is produced by the secretariats from the relevant select committees, which the Principal Clerk, alongside a couple of administrative staff, pulls together. There has, however, been a recent change in support in the 2015-16 Parliament, with two more junior clerks devoting more of their time to the Liaison Committee and to the hearings.

We were told that the topics for the sessions were decided deliberately within the Committee, with suggestions received from members which were then narrowed down through discussion. However, dates for the sessions were frequently not established far enough in advance for this process to be comprehensive. There was also some 'finessing' of the eventual topics by the chair. The choice of topics might be influenced by current affairs, the Government's own agenda, issues that several committees had identified as needing attention, or sometimes where it had been suggested through the parliamentary grapevine that the Prime Minister's office had taken an interest. The questions themselves were largely identified by the Liaison Committee members, in collaboration with the respective select committee secretariats. Whilst the work of their own select committees will have clearly influenced their choice of topics, there was little evidence that chairs systematically consulted their own committee members about possible questions. Indeed, in interview, some actively challenged why they should consult their committee members, as they believed they had a mandate from the whole House to act on the committee's behalf. Although questions were generated by the Liaison Committee members, there was some attempt at coordination to ensure that they covered the key aspects, were in a logical sequence and avoided repetition. In drawing up the list of questions, efforts were also made to anticipate the Prime Minister's initial responses to ensure sufficient follow-up.

2.5 NUMBER 10

Contact between the clerks and officials in Number 10 seems to have been frequent and a cordial working relationship built up between them. The most challenging aspect of this was trying to arrange a mutually convenient time for the hearings to take place. The practice has been for the Committee to inform the Prime Minister's Office of the topics that they wish to address at each hearing in advance to ensure proper briefing for the Prime Minister. However, where the usual practice for select committees is to give prospective witnesses an indication of the questions they are likely to face, the Liaison Committee has not done so. We did not

hear about any efforts on the part of Number 10 to influence the selection of topics to be covered or to veto any. In spite of that, one Liaison Committee member suggested that the Liaison Committee secretariat were too 'cosy' with Number 10 and too willing to share information.

Number 10 did not tend to see the sessions as an opportunity to get a particular message out to the public, primarily as the media coverage of the sessions has been so limited.

A small team of civil servants and political advisers prepared for the sessions. This has been the same team that prepares for PMQs and statements to the House. Whilst the priority is always preparation for the weekly PMQs sessions, the Liaison Committee sessions require a different type of preparation with more in depth briefing. Number 10 will tend to get around two

weeks' notice of the topics once the date is set and coordinate briefings from the relevant department: the quality of these briefings can often determine how well the Prime Minister handles the detailed questioning. The relationship between the Liaison Committee staff and Number 10 staff was always cordial. Number 10 was not given the option of vetoing the Committee's topics however; we were informed that, very occasionally, it did ask that a topic was avoided until a clear policy had been established. It was often accepted that the Prime Minister would want to comment on significant issues in the day's news; though not encouraged, a few relevant questions were fed in, as it would look odd if a major issue was ignored. Generally, though Number 10 did not tend to see the sessions as an opportunity to get a particular message out to the public, primarily as the media coverage of the sessions has been so limited.

On the other side, there was little evidence of the Prime Minister utilising the sessions to get a statement or policy response out. An exception to this occurred in December 2014 when the Prime Minister gave a short statement on the terrorist attacks in Australia and Pakistan. This statement had been pre-arranged with the chair. Conscious that this section of the hearing would be televised and might attract more attention than usual, David Cameron kept his jacket on until he had made the statement before removing it for the rest of the session.²⁹

²⁹ See the [TV recording of the evidence session](#) on 14 December 2014.

3. ANALYSIS AND REFLECTION

The Liaison Committee's hearings with the Prime Minister are, to the best of our knowledge, unique. We are not aware of an equivalent forum where, in a national parliament, the head of government appears before a committee to answer questions on areas of policy not of their choosing. As a result, there is little in the way of comparative standards by which the Liaison Committee's performance can be judged. Nor are there objective standards against which the effectiveness of the scrutiny can be judged. As such, the criticisms of the sessions (which are not hard to find) need to be tempered by the fact that the sessions seem to be unique. The three Prime Ministers who have appeared to date are widely perceived to have dealt with the Committee's interrogation rather too easily and even to have enjoyed them, as a welcome change from PMQs (as Cameron noted in his first session in 2010). The Committee itself has shown a willingness to reflect on how the sessions work and make changes: the number of sessions has been increased from two to three times a year and the number of topics covered and members of the Committee involved in each session has been reduced. The current chair, Andrew Tyrie, has, in the past, written about changes he would make to the sessions to increase effectiveness, such as monthly sessions with the Prime Minister and half an hour of topical questioning.³⁰ A significant majority of the current and former members of the Committee whom we spoke to were also critical, regarding them as, at best, a missed opportunity and, at worst, fundamentally flawed. Some chairs were, however, less critical. In their view, the sessions provided a chance for members to engage directly with the Prime Minister that they would not otherwise have. Yet, in spite of the changes to date, most of our interviewees felt that the sessions have yet to deliver the greater prime ministerial accountability promised.

At least part of this divergence of opinion regarding the usefulness of the sessions stems from differing views about the ultimate purpose of the Committee's hearings with the Prime Minister and what the members are trying to achieve. Even after the changes made in the last Parliament that narrowed the focus of the sessions to a few topics and reduced the number of participants, several members who spoke to us said that the actual purpose of the sessions was insufficiently clear or focussed. One former select committee chair felt that '...the sessions could have been much more useful if you'd had a Liaison Committee...that was more coherent in what it was trying to do'. A current member of the Committee said of the hearings with the Prime Minister that 'I really don't understand what its objectives are'.

The stated purpose of the sessions is nominally to 'hold the government to account'. But it became clear that, in practice, this means different things to different Members. Some Members were frustrated that they were not able to get into the detail of policy-making and the Prime Minister's direct and indirect role. A former chair felt that '...in terms of really

³⁰ See A Tyrie, [The Poodle Bites Back: Select Committees and the Revival of Parliament](#), Centre for Policy Studies, 2015 p 6; A Tyrie, [Government by Explanation: Some Ideas of the Select Committee Corridor](#), Institute for Government, 2011, p 16.

scrutinising what it is that the Prime Minister is doing, it's not fulfilling its function'. By contrast, those who value the sessions could see huge positives in being able to ask the Prime

'...in terms of really scrutinising what it is that the Prime Minister is doing, it's not fulfilling its function'

Minister a series of questions on a particular issue in a way that PMQs, for example, simply did not allow. The public, too, seem to appreciate the calmer, more discursive approach of the Liaison Committee compared to the political theatre of PMQs.³¹

3.1 QUESTIONING

The different ways in which committee members interpreted the accountability role was apparent in the types of questions that were asked in the sessions and the way in which they were asked. The current and former members of the Liaison Committee that we spoke to shared the view that questions in select committee hearings should be, amongst other things, short and to the point. A former Liaison Committee member said that '...the longer the question is, the easier it is for the person answering to go down various blind alleys'. Some Chairs, in interview expressed frustration that the sessions with the Prime Minister did not reflect this style of questioning. Too often members ask long detailed questions, sometimes essentially making statements with which the Prime Minister would be invited to comment on or agree with. Often, we were told, the impression given was that these questions were not primarily designed to elicit information but rather Committee members were using the opportunity of a face-to-face meeting with the Prime Minister to put across their own views to him: '...they tended to be an exercise in every select committee chair demonstrating their in-depth knowledge about the subject...it was more like a pop quiz than it was really like a scrutiny session'. This tendency towards statements and grandstanding led to a further frustration as members felt their time for questioning the Prime Minister was squeezed as a result.

It is straightforward enough to identify the long-winded statement, but less evident why members take this approach. The reasons put forward by interviewees and others present three possibilities.

- a. It was suggested that the higher profile that sessions with the Prime Minister have seen Members behave differently. One former member suggested that Liaison Committee Members are too concerned about making a mistake in such a public forum—Parliamentary sketch writers are usually in attendance and no chair wants to be the focus of one of their columns—and, as a consequence, tend to over-prepare

³¹ Hansard Society, [Tuned In or Turned Off? Public Attitudes to Prime Minister's Questions](#), London: Hansard Society, 2014, p 36-7

and over-elaborate their questions. Another former Committee member thought such overly-detailed questions were a 'waste of time', at least without giving advanced notice to the Prime Minister, who is unlikely to be responsible for the technical minutiae of policy as opposed to the broader, strategic approach. He said the questions should focus instead on 'relationships, politics and the philosophy that the Prime Minister brings to bear rather...[than] catching someone out'. In this respect, though the questions are long and detailed, the contrast between the Liaison Committee sessions with the Prime Minister and PMQs might not be as great as had been assumed.

- b. An alternative explanation was that Liaison Committee Members were used to chairing their own select committee and less used to working as rank-and-file committee members. Accustomed to being first amongst equals in their own committees, it was suggested that some might find it hard to relinquish this more dominant role when in the Liaison Committee. A former Liaison Committee member said that too many of her colleagues ignored the lessons about the brevity of questions once they were faced with the Prime Minister: 'as soon as you get very senior then people start to get more expansive because obviously everyone is there to hear them'. Another thought too many focussed on the watching media rather than what the sessions were supposed to be focussing on: 'If it was not about trying to find the killer question that gets run to News at Six and actually much more about allowing the Prime Minister to explain his course of action and to make the Prime Minister relax when he's answering questions, I think Parliament would get more out of it'.

'If you're given the chance to give the Prime Minister a bloody nose then damned right you'll take it'.

- c. We were given a different perspective from a non-Government member of the Liaison Committee who joined after the 2015 election. This member thought that the opportunity to question the Prime Minister persistently, limiting his ability to evade questions with interruptions and follow-up questions, was invaluable. Crucially, this positive view seems to stem, at least in part, from a different interpretation of the purpose of the hearings with the Prime Minister. From this perspective, the sessions were less about uncovering the Prime Minister's thinking or his role and rather more about landing blows on behalf of one's party or agenda: 'I had a set number of points that I wanted to get in there...I had my sort of agenda'. This member went on to say 'If you're given the chance to give the Prime Minister a bloody nose then damned right you'll take it'. Whilst some regard select committees as a forum where scrutiny takes a less adversarial form, it would seem that this member, a select committee

chair who manages his own committee consensually, did not adopt that approach in the sessions with the Prime Minister. The other members we spoke to would not have advocated such aggressive statement of purpose. However, whilst complaining about grandstanding, some did say that the interrogation that Prime Ministers have been subject to in the Liaison Committee has been insufficiently robust and that, at times, has been rather too respectful.

3.2 THE LIAISON COMMITTEE PROCESS

A number of those we spoke to who were most critical of the Liaison Committee sessions with the Prime Minister thought that the process surrounding the hearings and even the Liaison Committee itself were not suitable for the task of holding the Prime Minister to account. Some felt that it was too big to perform the task effectively. Even with only 15 or so Members participating in each session with the Prime Minister, the sessions are still larger than most select committees. Moreover, many already consider select committees to be too large. A former chair told us that 'our most effective select committee hearings were the ones when we had only four or five people there'.³²

The standing of the membership presents another challenge as chairs regard themselves as the elite members of the House, seniority conferred by mandate and position.

The sessions with the Prime Minister are a high profile, but relatively infrequent aspect of the Liaison Committee's work. Most of its tasks are bureaucratic or procedural: selecting committee reports for debate in Westminster Hall or allocating the select committee travel budget, for example. Several current and former

Members felt that this constrained its effectiveness as a scrutiny body. With its focus on allocating resources (money, time), it lacked the focus that the policy-focussed select committees. Some Members criticised it for being overly hierarchical, with more high profile or established Members able to dominate. The composition of the Liaison Committee might also contribute to this. It is the only select committee on which almost all the Members have been appointed through whole of House elections. With the Members mostly able to claim a House-wide mandate, rather than just the chair, it was suggested to us that the Liaison Committee lacks the coherence and shared purpose of the policy-focussed committees. The standing of the membership presents another challenge as chairs regard themselves as the elite members of the House, seniority conferred by mandate and position.

Unlike most select committee oral evidence sessions, the Liaison Committee's hearings with the Prime Minister are largely freestanding and are not part of a wider inquiry. Whilst a few topics are announced in advance, there are no terms of reference and no report is published

³² We discuss this further in Section 4.4 below.

at the end. In short, the process falls a long way from having the focus of a regular select committee inquiry. As a consequence, some of those we spoke to felt that questions often did not really form part of a coherent whole. Efforts were made by the chair to keep questioning on track, but we were told that, frequently, Members were not easily corralled.

It should be stressed that these views were not held by all our interviewees, but by critics of the existing arrangements. Furthermore, whilst there were shared views about some of the shortcomings, there was little evidence of consensus about how it might be improved, a subject we address in the next section. Much depended on the Chair, who of course had his own select committee to lead.

4. OPTIONS FOR REFORM

Based on the reflections from current and former participants contained in the previous section, certain areas of potential reform present themselves. The range of possible reforms are distributed along a continuum. At one end, there are those designed to make the current Liaison Committee sessions with the Prime Minister more effective. These might involve changes in behaviour of the participants or modest, incremental changes to the existing process and could be achieved with relative ease. At the other end of the continuum are those that propose replacing the Liaison Committee sessions with a different means for enhancing prime ministerial accountability. Naturally, these would be harder to achieve, not least because they would require the Prime Minister's willingness to cooperate with the new process.

4.1 INCREASED FREQUENCY

The number of hearings with the Prime Minister has already increased from biannually when first introduced to triennially in 2010-15. Andrew Tyrie, the current chair of the Liaison Committee, has argued that the sessions should be increased to monthly occasions, whilst Parliament is sitting.³³ As a concession to the Prime Minister's diary, he suggests that PMQs should not be held in those weeks that he appears before the committee. He regards it as a necessary response to the increasing 'presidentialisation' of power in British politics.³⁴

Given the somewhat equivocal views many of our respondents held about the current usefulness of the prime ministerial hearings with the Committee, we did not find a great deal of support for such a measure: Andrew Tyrie himself acknowledged that many do not share his position on this. It would seem that, for such a move, the sessions would have to be perceived to be more effective than is currently the case. Tyrie also acknowledged the risk that, by further increasing the focus on the Prime Minister and his role in government, such a move might actually reinforce the presidentialisation that he seeks to address. Furthermore, whilst the Prime Minister might be unique in not having a departmental select committee to appear before, no Secretary of State appears before their select committee as often as monthly. Regardless, it seems that the Prime Minister's office would strongly resist such a move, which would almost certainly see other parliamentary engagement sacrificed if it were introduced. That said, the Prime Minister has struggled to appear three times a year as agreed. We note that in the 2015-16 parliamentary session, David Cameron only appeared in January and May 2016. He appeared only once (in February 2015) between December 2014 and January 2016. The Prime Minister did, somewhat reluctantly, appear before the Liaison Committee in May 2016 to answer questions on the EU Referendum having attempted to

³³ A Tyrie, [Government by Explanation: Some Ideas of the Select Committee Corridor](#), Institute for Government, 2011, p 16

³⁴ See in particular T. Poguntke and P. Webb (2013) 'The Presidentialisation of Politics Thesis Defended', *Parliamentary Affairs* 66(3) p.646–654.

resist. The Committee under Andrew Tyrie managed to put sufficient pressure on the Prime Minister to attend following a public exchange of letters and verbal exchange at the January 2016 session.³⁵

4.2 GREATER PURPOSE

The sessions often suffer from a lack of purpose, which means the committee is much less effective, in terms of interrogation, than other select committee hearings. We have already noted the difference between the Liaison Committee's sessions with the Prime Minister and the majority of select committee inquiries. Whilst they do hold one-off, freestanding evidence sessions, the majority of oral evidence taken by select committees forms part of a broader inquiry which gives focus: terms of reference are drawn up, witnesses are selected and cross-examined with these in mind, and conclusions and recommendations are made as a result. This takes place in the context of committees that already have clear policy jurisdictions, a clear role (set out in the Standing Orders) and are given a further steer by the list of core tasks drawn up by the Liaison Committee itself. By contrast, the Liaison Committee has none of these, beyond the somewhat vague clause in the Standing Orders suggesting that it 'may' take evidence from the Prime Minister. This concern about a lack of focus was evident in the views of one current Member of the Liaison Committee who said 'I don't understand what [the Liaison Committee] is pursuing with the Prime Minister'.

The participants we spoke to were not convinced that the hearings should form part of a larger select committee or that producing a report would be the best way to sharpen up this focus. Nonetheless, a stronger emphasis on the potential outcomes of the sessions would be welcome. Research by Hannah White of the *Institute for Government* recommended that, 'amongst other things, select committees should reflect on: what the ultimate purpose of an inquiry should be; what committees are actually trying to achieve, and a strategy to put that into effect'³⁶. Amongst other things, the Liaison Committee has been a promoter of best practice for select committees in general, for example, with its list of core tasks. Yet it does not seem to have privileged this sort of strategising for itself. Greater reflection on, and clarity about, what it is trying to achieve in each of the hearings with the Prime Minister and a plan for putting this into operation would help to alleviate this problem.

4.3 MORE EFFECTIVE QUESTIONING

Furthermore, based on our interviews, the simplest way to improve the effectiveness of the hearings with the Prime Minister would be to change the way that questions are asked. If there is a consensus that short, incisive questions are the most appropriate, then it is clearly within the power of committee members to put that into practice consistently. Yet it would seem to be less straightforward to achieve. If it is true that the types of questions, and the way in which they are asked, are leaving the potential effectiveness of the hearings unfulfilled,

³⁵ H. White [The Prime Minister and the Liaison Committee](#), Institute for Government blog 4 May 2016.

³⁶ H. White [The Prime Minister and the Liaison Committee](#), Institute for Government blog 4 May 2016.

it is not simply because the members are unaware of how to ask questions. The Liaison Committee largely comprises experienced select committee members, veterans of numerous evidence sessions in which they have interrogated a plethora of witnesses. Some may have even participated in the training in the art of asking questions that is now available to select committees at the beginning of each Parliament, incidentally as recommended by the Liaison Committee itself.³⁷ Insofar as it is true that the style of questioning is reducing the effectiveness of the hearings (see 3.1 above), it is evident that the high profile of the prime ministerial sessions with the Liaison Committee and the nature of the committee itself contributes to it. Stronger group regulation, by the chair, may improve this. However, there are strong countervailing pressures and, with individual committee members having a personal mandate through the whole-of-House ballot system, some may be resistant to attempts to regulate their short opportunity to challenge the prime minister.

4.4 INCREASED FOCUS BY MEMBERS

The issue of lack of focus was linked to committee size by a number of our interviewees. The potential lack of effectiveness of an excessively large committee has been widely recognised.³⁸

With 25 or 30 Members, there was little time for proper cross-examination and it was hard to maintain focus. Furthermore, large committees often lack the cohesiveness and commitment amongst Members of smaller ones: we have already noted one former chair who thought that committees functioned best when only four or five Members had been present. Changes have already been made, with only 15 or so Members now participating in each session with the Prime Minister. However, as we noted in the previous chapter, 15 Members is still larger than the departmental select committees, most of which are limited to eleven by their Standing Orders. When the Wright Committee considered the matter, some committee members favoured a maximum select committee of only nine members.

Changes have already been made, with only 15 or so members now participating in each session with the Prime Minister.

For the Liaison Committee, there is a tension. On the one hand, there is the desire to include sufficient numbers to cover the range of policy areas and allow equal opportunity for all members to interrogate the Prime Minister at some point. On the other hand, there is the desire to limit participation to keep the sessions tight and focussed, and to allow sufficient opportunity to cross-examine thoroughly. With participation at least partly reflecting the topics being addressed with the Prime Minister, the issue also reflects the tension between focussing on policy areas that are topical, those in which only the Prime Minister can effectively answer questions, and covering as wide a range of policy as possible. The sessions have been

³⁷ See HC 954 Liaison Committee (2015) Legacy Report 1st Report of Session 2014–15.

³⁸ A Tyrie, [The Poodle Bites Back: Select Committees and the Revival of Parliament](#), Centre for Policy Studies, 2015 p 64.

dominated by certain issues (perhaps reflecting the Prime Minister's priorities and the power dynamic in the Committee) and hence questioning has been dominated by certain key committee members. As we saw in section two, the Committee's focus on foreign affairs and home affairs issues saw the chairs of those committee attend almost all of the sessions in the last Parliament, with others attending very few.

A potential resolution might involve both identifying the topics to be addressed with the Prime Minister in a particular session as well as selecting the Liaison Committee members to participate rather further in advance and with a more deliberate effort to cover the range of relevant policy. This subgroup could then work together to prepare for the session in the way a regular select committee might. Identifying the policy areas well advance does risk overlooking some more topical issues. However, one of the changes Andrew Tyrie has proposed in the past has been to allow time at the end of the hearings to question the Prime Minister on topical issues to follow the regular cross-examination.³⁹ This would offer a compromise between topicality and in-depth scrutiny. Questions could be garnered from outside the Committee on matters identified via public consultation (in for example the Petitions Committee).⁴⁰

The Liaison Committee is unlike other, predominantly policy-focussed, select committees. The question of its suitability for holding the Prime Minister to account was raised by several sceptical participants. For some former and current members, the Liaison Committee is simply ill-suited to scrutinising the Prime Minister by its nature. Scrutinising the Prime Minister has comprised only a relatively small part of its workload. In the last Parliament, its monthly meetings generally had a greater focus on tasks such as approving applications from select committees to travel as part of their inquiries. The success with which it had managed to move from this administrative role to a scrutiny role was questioned. More recently, much of the responsibility for this role has been delegated to its staff. Other more routine decision-making is now devolved to a sub-group of members known as 'The Quartet'. As a result, one current member told us that it was a 'disparate group', lacking the sense of common purpose of other select committees: 'The only two things they have in common: they're Members of Parliament; they chair select committees. There's no focus'. Delegating some of its administrative roles might, in time, allow it to focus more narrowly on its scrutiny function. However, thus far at least it has not done so (though it is early: at the time of writing, the new committee has only met with the Prime Minister twice since the 2015 election and is yet to question the new Prime Minister). Furthermore, if, by delegating these functions, the committee meets less often, it risks slipping even further down the list of priorities for its members who are already busy with the select committees that they were elected by their

³⁹ A Tyrie, [Government by Explanation: Some Ideas of the Select Committee Corridor](#), Institute for Government, 2011, p 16.

⁴⁰ See also Liaison Committee [Building Public Engagement: Options for Developing Select Committee Outreach](#), Special Report for the Liaison Committee by M Flinders, I Marsh and L Cotter, November 2015.

peers to chair and further weakening the cohesiveness that seems to contribute to select committee effectiveness.

4.5 ALTERNATIVES TO LIAISON COMMITTEE SCRUTINY

In spite of its apparent shortcomings, there is a sound rationale for the Prime Minister to appear before the Liaison Committee. The committee does, after all, cover the full range of policy areas within its membership. The directly elected membership gives it a degree of legitimacy and seniority. Nonetheless, there were former and current members who regard its shortcomings to be significant enough that the reforms already put in place will make little difference. They told us that the task of scrutinising the Prime Minister should fall to an entirely different parliamentary body. However, whilst there was a consensus regarding the shortcomings of the Liaison Committee amongst those we spoke to, we found less agreement about what should replace it as the main vehicle for scrutinising the Prime Minister and none of the options we heard was without their own shortcomings.

One option, suggested by a former member, is just to revoke the convention the Prime Minister does not appear before select committees. There might be a temptation on the part of the newly empowered committees to summon the Prime Minister as part of every inquiry they undertake. However, an undertaking from the Prime Minister to appear before each select committee once a Parliament would overcome this. Issues present themselves though. A mechanism by which the committees are prioritised would need to be established. Furthermore, this approach pays no heed to topicality. For instance, in the event of military action towards the end of a parliament, after the Foreign Affairs and Defence Committees have already had their one chance to interrogate the Prime Minister would see the Prime Minister go unscrutinised. In March 2016, the Foreign Affairs Committee had a request for the Prime Minister to give evidence on Libya turned down by his office.

An alternative could be to replace the Liaison Committee hearings with joint sittings of the existing select committees examining broad policy areas in turn. In this model, the Prime Minister might be cross-examined on economic matters once a year in a joint sitting of the Treasury, Business Innovation and Skills, and Work and Pensions Committees, for instance, or on international matters by the Foreign Affairs, Defence and International Development Committees. This would, of course, better integrate the hearings with the work of the select committees, although it could be argued that this would be at the expense of topicality. However, would joint sittings encourage the sort of cohesion that was identified as being important? Would the different interests and agendas of the participating committees undermine the focus of the hearings? Given what we have heard about the need to keep numbers below fifteen, could this be squared with the desire of members of the three committees to participate?

Another option—perhaps the simplest—might be to use a single committee to scrutinise the Prime Minister. It could be an existing committee: if Number 10 and the Prime Minister were

included alongside the Cabinet Office, the role could fall within the Public Administration and Constitutional Affairs Committee's remit. Or a specific select committee could be established to scrutinise the Prime Minister and Number 10. However, would the other select committee's chairs willingly relinquish the privilege and publicity associated with interrogating the Prime Minister?

5. CONCLUSION

The Liaison Committee sessions with the Prime Minister represent an important scrutiny function and are now an established conduit between the executive and the legislature. The sessions are unusual as a standalone evidence exercise and it is hard to find equivalent sessions in other jurisdictions. The sessions provide a complementary forum for senior MPs to engage with the Prime Minister beyond the partisan arena of PMQs. This analytical and deliberative setting is much more conducive to informative and illuminating exchanges. Reforms that have narrowed the number of participants and focused the content of sessions are to be welcomed. The sessions do however have the potential to enhance the relationship between the Prime Minister and the legislature.

The sessions are now more structured and better organised. With committee members empowered by election, they have a stronger mandate to challenge the Prime Minister. The chair of the committee plays a key role in shaping the tone and format of the sessions, both in planning and practice. This has seen the Prime Minister noticeably placed under greater scrutiny in the more recent session. We expect this to continue.

Our analysis identified four areas to strengthen: greater frequency, purpose, effectiveness of questioning and improved focus. On **frequency**, although unlikely to agree to a greater number of appearances, it would be beneficial if the Prime Minister appeared more often, tilting the balance (albeit only slightly) away from PMQs. On **purpose**, we found that the sessions did lack a guiding aim or purpose. The terms of reference for the sessions with the Prime Minister could be much more specific. It is unclear if the Prime Minister is questioned as the Head of Government or as the leading politician. This was most evident in the last session on the EU referendum. On **questioning**, we found that the length, tone and focus of questioning varied greatly between members. It rests with the chair to tighten up questioning style, but the sessions are more valuable as an arena to press the Prime Minister on detail than make personal points. We also found multiple drivers explaining style and content of questions and these are enhanced when engaging with the Prime Minister. In general, sharpening up of questioning would help to raise the profile of the sessions. On **focus** the challenge of corralling an elite group of senior MPs, each with an individual mandate, is substantial and falls to the chair to manage. Concentrating on only two topics per session has helped. Shifting from individual exchanges between members and the Prime Minister to a collective probing of strategy, process and vision is worth pursuing if these sessions are to become a focal point for parliamentary scrutiny of the executive.

5.1 RECOMMENDATIONS

We would recommend that it is worth persevering with the Liaison Committee sessions with the Prime Minister. Whilst acknowledging the validity of many of the criticisms of the Liaison Committee as a scrutiny vehicle, we believe there is much merit in continuing with the exercise. The fact that the prime ministerial sessions exist means that there is something to

build on and there is scope to improve the effectiveness of its scrutiny function. With the usual norms of politics being challenged at present, a stronger relationship between the Prime Minister and parliament is to be encouraged. The Liaison Committee sessions can help facilitate this.

If one accepts that the sessions themselves have merit in placing the Prime Minister before a parliamentary select committee containing senior parliamentarians, we recommend some potential areas to make the sessions more effective.

1. **Frequency.** There are obvious benefits to greater frequency of sessions with the Prime Minister. More sessions would raise their profile with the public and the media. Number 10 would need to devote more attention to these sessions in the preparation and briefing cycle. There would also be greater continuity and flexibility if the number of sessions were increased to at least four per year. The Prime Minister could appear at the start of each session to set out the programme for government (a similar approach to the Convener's Committee in Scotland) and be challenged on aspects. A new Prime Minister taking over mid-term should also appear as soon as possible, this would present an ideal opportunity for MPs to quiz a new Prime Minister, in particular on Brexit negotiations.
2. **Purpose.** The Committee should consider how the sessions could be linked together with a clear purpose of inquiry. This could be via an annual report, clearer terms of engagement and a greater exchange of correspondence. Members should also consider how material from the sessions could be utilised on the floor of the House or elsewhere in committee. Whilst the slimmed down version of Member participation is to be welcomed the committee should consider options for public engagement and greater media engagement. Questions of public concern could be asked in a short section at the end of each session (these could be filtered through the Petitions Committee) to provide topicality. Consideration could be given to making the sessions more public – held in a larger committee room or even beyond the Westminster estate. This would fit into the public engagement agenda identified as important to reinvigorating parliamentary democracy and public participation.
3. **Effective questioning.** Members of the Committee should be encouraged to ask shorter, more succinct questions to the Prime Minister. Though these are senior select committee chairs, it could be part of self-reflection that encourages sharper questioning along with some gentle guidance from the chair.
4. **Focus.** The Committee should shape the substance of the sessions on decision-making at the heart of government. If the sessions are going to shed light on areas of Prime Ministerial responsibility, a stronger focus on how decisions were formulated would be illuminating.

Whilst public perceptions of prime ministerial accountability centre on Prime Minister's Questions (PMQ), Liaison Committee sessions have now operated since 2002, questioning successive Prime Ministers. The Committee has undergone a process of significant institutional learning because of its early experiences, and has narrowed the number of topics and the number of questioners, increased to three sessions a year, sharpening the scrutiny blade.

Primarily, the sessions enable the Prime Minister to be challenged on the government's record in a less partisan manner than weekly PMQs. The sessions are generally informative exchanges on broad government strategy and contemporary issues, which provide for far more detailed prime ministerial justification of policy decision making. When canvassed the public found these sessions positive, but knew little about them. These sessions with the Prime Minister therefore constitute important connective tissue between the executive and the legislature, but have thus far attracted little attention. However we recommend that the sessions could be more frequent, have an increased sense of purpose, be more effective in the questioning of the Prime Minister and demonstrate a greater focus.

This report summarises the findings of research funded by the Nuffield Foundation and shows how it expands on our understanding of both the limits and the possibilities of democratic accountability mechanisms.

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UNIVERSITY OF
Southampton

Contact:

Dr Mark Bennister mark.bennister@canterbury.ac.uk

Canterbury Christ Church University, School of Psychology, Politics and Sociology,
CT1 1QU Kent, UK